

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Billy Lee Lisenby, Jr., a.k.a,)	C/A No.: 5:13-cv-02106-DCN-KDW
Malik Al-Shabazz,)	
)	
Plaintiff,)	
)	
v.)	ORDER
)	
William R. Byars, Jr., Warden Padula,)	
)	
Defendants.)	

Plaintiff, proceeding pro se and *in forma pauperis*, brought this action alleging violations of his constitutional rights pursuant to 42 U.S.C. § 1983. On January 7, 2014, Plaintiff filed a letter advising the court that he wished to “voluntarily dismiss or withdraw [his] 1983 against Solicitor Jackson etc. Will you send me the attorney for the state, so I can him also well?” ECF No. 43. Based on this letter, the court is unable to determine if Plaintiff intends to voluntarily dismiss his entire case against all Defendants or simply against Solicitor Jackson.¹ Therefore, Plaintiff is instructed to inform the court by **February 19, 2014** if his request is to:

A) Dismiss C/A No.: 5:13-cv-02106-DCN-KDW in its entirety against all Defendants;

or

B) Dismiss C/A No.: 5:13-cv-02106-DCN-KDW only as to Defendant Jackson;

or

C) Dismiss C/A No.: 5:13-cv-02106-DCN-KDW only as to Defendants Byars;

¹ The Court dismissed the Complaint against Defendant Jackson on October 18, 2013. ECF No. 30. To the extent Plaintiff is attempting to dismiss his suit solely against Defendant Jackson, his request is redundant.

or

D) Dismiss C/A No.: 5:13-cv-02106-DCN-KDW only as to Defendant Padula.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Kaymani D. West". The signature is written in a cursive, flowing style with a large initial 'K' and a distinct 'D'.

Kaymani D. West
United States Magistrate Judge

February 7, 2014
Florence, South Carolina